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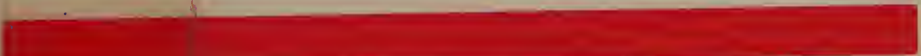


CONSTITUTION



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CONSTITUTION

OF THE

UNITED STATES

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PREFACE

IN the last quarter of the eighteenth century, there was no country in the world that governed with separated and divided powers providing checks and balances on the exercise of authority by those who governed. A first step toward such a result was taken with the Declaration of Independence in 1776, which was followed by the Constitution drafted in Philadelphia in 1787. And in 1791 the Bill of Rights was added. Each had antecedents back to the Magna Carta and beyond.

The work of fifty-five men at Philadelphia in 1787 marked the beginning of the end of the concept of the divine right of kings. In place of the absolutism of monarchy, the freedoms flowing from this document created a land of opportunities. Ever since then discouraged and oppressed people from every part of the world have made a beaten path to our shores. This is the meaning of our Constitution.

It is important that all who love freedom have an appreciation and understanding of our national heritage—a history and civics lesson for all of us. This lesson cannot be learned without first reading and grasping the meaning of this document—the first of its kind in all human history.

WARREN E. BURGER

Chief Justice of the United States 1969-1986
Chairman of the Commission
on the Bicentennial of the United States Constitution

INTRODUCTION

PRINTING & THE CONSTITUTION

THIS is a typographic tribute to the Constitution of the United States. The nation's bicentennial celebration of the framing of the Constitution will remind us that our flourishing continent-wide federal union of fifty states is a byproduct of this document. But this elegant printing of the Constitution is a special kind of tribute—a celebration of something so obvious, so omnipresent that it may be forgotten. Here is a tribute to typography, “the art or process of printing from type.” We have been misled by the cliché that ours is the oldest “written” constitution still in use. To be more precise we should call ours probably the first *printed* constitution and surely the oldest printed constitution by which a nation still lives. This puts our Constitution in a wider, more modern perspective.

Our nation was born in the bright light of history, and we can trace the framing and detailed revision of this document in the record of the Convention which met in Philadelphia from May 14 to September 17, 1787. Some of the members were men of letters, and all lived in a culture of printed matter. When the Constitutional Convention required a printer, they selected John Dunlap and David C. Claypoole, who had been printers to the Continental Congress since 1775. Their names had appeared on the official printing of the Declaration of Independence in 1776. They had proven their qualifications as the official printers of the Articles of Confederation.

The Framers believed that the strictest secrecy was required to encourage members of the Constitutional Convention to speak their minds freely and to remove temptations to demagoguery. Eleven years earlier, when once before the Continental Congress struggled to agree on a new form of government, they had sat in the same room where the Constitutional Convention now met. They then secured the signatures of Dunlap and Clay-

poole to an oath of secrecy: "We and each of us do swear that we will deliver all the copies of 'the articles of confederation' which we will print together with the copy sheet to the Secretary of Congress and that we will not disclose directly or indirectly the contents of the said confederation." The delegates to the new Constitutional Convention counted on their printers' observing a similar secrecy, and they were not disappointed.

As the work of the Convention drew toward a close and the Committee of Detail began putting the Convention's decisions into final form, Dunlap and Claypoole regularly supplied members with printed versions of the Committee's latest revisions. The first printer's proofs went to the Committee of Detail about August 1 for additional changes. These were incorporated in corrected copy, distributed to all members of the Convention probably on August 6. A month later, in early September, the Convention as a whole made further revisions, which in turn were incorporated in a new version by the Committee of Detail. This was printed, and referred back to the Convention on September 12. "The report was then delivered in at the Secretary's table," recorded the Convention's Secretary William Jackson, "and having been once read throughout. Ordered that the Members be furnished with printed copies thereof. The draught of a letter to Congress being at the same time reported—was read once throughout, and afterwards agreed to by paragraphs." On September 14 and 15 the Convention went through this revised print section by section. On September 15 Madison noted, "On the question to agree to the Constitution as amended. All the States ay." George Washington wrote in his diary for that day that the Convention "adjourned 'till Monday that the Constitution which it was proposed to offer to the People might be engrossed—and a number of printed copies struck off." Dr. James McHenry of Maryland added in his diary that the order was for five hundred copies.

It is plain that in their efforts to give a final form in words to the concepts, arrangements, and compromises on which they had

labored for four months, the members were always working with *printed* copy. They were continually adding their final changes to these printed versions of their draft Constitution. Only at the very end was their joint work finally reduced to "writing," by being "engrossed." This word *engross*, derived from the Medieval Latin for large handwriting, in this sense has left our common usage. It is seldom used now except for academic diplomas and certificates of award, wills, deeds, and other legal documents. Then it had a legalistic meaning: "to write out in a peculiar character appropriate to legal documents." By the late eighteenth century this common use of the word had already begun to become obsolete. Printing acquired a new authenticity. The framers of this historic legal document, in fashioning their crucial phrases, were using common printed matter and not a legalistic handwritten text. They were already working with a *printed* constitution.

How otherwise could the Convention have done its business, with fifty-five delegates conferring, consulting, debating, and agreeing on specific wording? For centuries the final form of historic political documents had been "engrossed," to be scrutinized by a few literate and technically competent negotiators. But this document was prepared in close consultation by fifty-five delegates. Could an original text have been reliably transcribed in fifty-five identical copies? Could members have been confident that they were all viewing precisely the same text? Posterity proved that any preposition, comma, colon, or capital letter might hold the fate of the commerce, general welfare, and international relations of a great nation. Without their printed copies they would have been at sea.

The later history of the document was an allegory of the primacy of print. In 1883 when J. Franklin Jameson, eminent American historian and bibliographer and sometime chief of the Manuscripts Division of the Library of Congress (1928-37), pursued the "engrossed" copies of our fundamental documents, he found that the engrossed copy of the Declaration of Inde-

pendence was proudly and conspicuously displayed in the library of the Department of State in Washington. But there at the same time the engrossed handwritten Constitution of the United States “was kept folded up in a little tin box in the lower part of the closet.” There was an unintended historic significance in this neglect of the handwritten word. For the gestation and adoption of the Constitution was not in the handwritten but in the printed word. The engrossed Constitution came to the Library of Congress in 1921, where it remained until 1952, when it went to the National Archives. Displayed in the rotunda, annually seen by hundreds of thousands, the handwritten version has finally attained the publicity of print.

There was a curious ambivalence, too, in the very word *engrossed*. During the Middle Ages it acquired a second meaning: “to buy up the whole stock of something for the purpose of establishing a monopoly.” “Engrossing” in both senses is a relic of an old age of monopolies—in knowledge and power too. Printed matter announced a new age, not of “engrossing” but of diffusing.

A historic, and perhaps the first, example of the political implications of printing was the framing, the debating, and the adopting of our Constitution. While it was hardly conceivable that the fifty-five members of the Constitutional Convention could have done their work without the aid of the printing press, it was still less conceivable that without printing the people of thirteen newly independent colonies spread inland from fifteen hundred miles of Atlantic coast could have focused their minds and intelligently debated the document. The *Federalist Papers* and the other contemporary classics of political debate over the Constitution were themselves byproducts, as well as products, of the printing press. Of course, it was a printed version of the Constitution, of which we now provide an elegant reminder in the present volume, that then provided the common, public focus for their debates.

Unfortunately, Dunlap and Claypoole had to wait five years

to be paid by the new government. Perhaps they were so patient because they had intended to do the job on speculation, hoping to profit from the public curiosity about what the secretive but much-publicized Convention had been up to. The Constitutional Convention had been, in James Hutson's apt phrase, "an extraordinary venture in confidentiality." Astonishingly, there were no significant leaks. In our age of "Sunshine" laws, when every private discussion in the councils of government is a potential headline or a feature of nightly newscasters, when every such council is not an intimate forum but a public sieve, it is worth reflecting whether the incomparable work of the Constitutional Convention could have been accomplished if they had been debating before journalists, newsmakers, and a public impatient for controversy and sensation.

The same Framers, who scrupulously observed their oaths of secrecy while they were deliberating, showed an admirable democratic concern that their product should, in George Washington's phrase, become an "offer to the People," that it be widely "promulged." The secrecy of their deliberation and the publicity of ensuing discussion were complementary. For centuries historic forces had inevitably confined the arena of interest and debate. Before the spread of literacy current access to earlier classics of constitutional history was inevitably limited to the small literate class. Magna Carta (1215), for example, could not have been debated by more than a tiny fragment of Britons, or even of barons, in its day. Written in Latin, a learned foreign language, the document survived in a few variant handwritten "originals" and entered British constitutional tradition more by rumor and hearsay than by public inspection. The Great Tradition of an "unwritten" British constitution left the knowledge and the scrutiny of the rights of Britons to judges and lawyers, rather than to the public.

The Constitution of the United States opened a new era in the history of constitutions, not only by its explicit description of the powers of a balanced representative government but also

by its birth in a public forum of the printed word. A widely literate people could read and judge the very words by which they would be governed. The Constitution that emerged from the Philadelphia Convention in mid-September 1787, according to James Madison, "was nothing more than the draft of a plan, nothing but a dead letter, until life and validity were breathed into it by the voice of the people, speaking through the several State Conventions."

"Injunction of secrecy taken off. Members to be provided with printed copies," delegate McHenry noted in his diary on September 17, 1787, "Gentn. of Con. Dined together at the City Tavern." The Convention adjourned *sine die* at about four o'clock that afternoon. Secretary Jackson was then to carry copies of the Constitution to the Continental Congress (by now, the Congress of the Confederation) sitting in New York. That night Dunlap and Claypoole were under pressure to make minor revisions ordered at the last session of the Convention in time to have the printed copies ready for the New York stage leaving at ten the next morning. Just one hour later the Pennsylvania delegates were scheduled to present the documents to their own legislature. The following afternoon Jackson arrived in New York to deliver the engrossed document and printed copies. On September 20 the Constitution was read to the Continental Congress.

Now at last the public could learn what had been accomplished by their fifty-five delegates who had worked for four months behind closed doors. The printing press would inform the public and bring the Constitution to life. Leonard Rapport's invaluable study of the early printings of the Constitution makes it possible for us to follow the role of the press in making the ensuing public debate possible. Without this diffusion of the printed text, the Constitution might conceivably still have been adopted by the required nine States. But the act never would have had the authority which copious printed publicity would ensure. The antifederalists had a plausible case for their objection that the Convention had exceeded its authority. Antifederalist

sentiments were widespread. If copies of the Constitution had not been broadly diffused (how else if not in print?), this would have given substance to suspicions that the federalists were trying to overwhelm opposition by speed and surprise. In the result, however, full and accurate printed copies of the Constitution, broadcast by newspapers in every state, made it hard to argue that anyone had been deprived of the opportunity to object. Of course, the suffrage at the time was narrower than it is today. But in due course, literacy and other printed matter would play a role in changing that, too.

The general diffusion of printed texts of the new Constitution thus helped set a tone of fairness and decency, and declared the freedom to object, at the very adoption of our frame of government. Is it any wonder that Jefferson, who would take his lumps from the press, ventured that “the basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without government, I should not hesitate a moment to prefer the latter.” Unfortunately, Americans in the later twentieth century would see tragic allegories of Jefferson’s point in great nations with powerful governments but no free newspaper press. They would see that, but for the freedom to print, there could be no “consent of the governed.”

In September and October 1787, Americans learned about their proposed Constitution mainly through the newspaper press. The copies sent to the States for formal submission to their ratifying conventions, Leonard Rapport has shown, were actually produced as a newspaper supplement. In New York the twice-a-week *Independent Journal* published by John McLean, enthusiast for the new Constitution, regularly devoted three of its four pages to advertisements, and only the remaining page to news. To print the full text of the Constitution, he would have had to cut the advertisements. Therefore he printed the whole Constitution as a separate four-page *Supplement to the Independent*

Journal, dated Saturday, September 22. To correct errors and omissions in his text he put the *Supplement* through three revisions and finally in a fourth revision added the resolutions of Congress of September 28 and the letter transmitting the report of the Convention to the States. Copies of this fourth version of the *Supplement*, attested by Charles Thomson, Secretary of the Continental Congress, survive in the official archives of New York and North Carolina. It was on this printed version that the state ratifying conventions deliberated and cast their votes. There is good reason to dignify this *Supplement* to a semiweekly newspaper as “the printed archetype of the Constitution.”

In the new age of typography it was not the uniqueness of an “engrossed” copy sequestered in some archive but the publicity of print that gave authenticity and authority to acts of government. Newspaper publishers were earnest, energetic, and ingenious in efforts to sate readers’ appetites for the authentic product of the secretive Convention. On September 26 Benjamin Russell, publisher of the *Massachusetts Centinel*, offered the full text of the Constitution and boasted to his readers: “The following HIGHLY INTERESTING and IMPORTANT communication was received late last evening by the post—an ardent desire to gratify the patrons of the Centinel, and the publick in general, induced the Editor to strain a nerve that it might appear this day; and although lengthy he is happy in publishing the whole entire, for their entertainment.” Nor did publishers allow profit to stand in their way. On September 28 the weekly *Winchester Virginia Gazette*, whose advertising revenues normally came to between six and eight dollars an issue, sacrificed all but one seventy-five cent advertisement to make space for the full text of the Constitution. The *New York Journal* of September 27 apologized to readers for omitting “a number of advertisements, pieces and paragraphs . . . to give place to the Federal Constitution,” and so, too, did the *Providence United States Chronicle*.

It took some time for the printed word to get around. While newspaper versions speedily multiplied in the northeast and New

England, it was Tuesday, October 2, before the printed text appeared south of Virginia. This was in an *Extraordinary*, a supplement to the semiweekly *Charleston Columbian Herald*, to which a ship had brought a copy of the text by an eleven-day passage from Philadelphia. On the remote frontier, in "the town of Lexington in the District of Kentucke," John Bradford's weekly *Kentucke Gazette* offered the full text of the Constitution in three installments beginning October 20.

Newspaper publishers tried various expedients. The *Norwich Packet* in Connecticut offered the text in two installments. The publisher of the *New-York Morning Post and Hutchins Improved Almanac* for 1788, advertised in the *Post* that a full four-page text of the Constitution was being inserted in his almanac, because it was "highly expedient" that everyone should have a copy of the proposed new Constitution, and "those who wish to possess themselves with one, have now an opportunity with the advantage of an Almanack into the Bargain." Others printed the Constitution in handbills and pamphlets.

Considering the length of the Constitution (more than five thousand words), the cost of hand-setting, the scarcity of paper, and the small size of newspapers at the time, to provide readers so promptly with the full text of so technical a document should demonstrate an impressive public spirit. Of about eighty newspapers publishing in the colonies at the time, by October 6, only twenty days after the Convention had adjourned, at least fifty-five had printed the full text. By the end of October the participating newspapers numbered some seventy-five. Even before Delaware, the first State, met in its ratifying convention on December 3, the number of separate printings of the Constitution in newspapers or other formats came (according to Rapport's count) to more than one hundred and fifty.

We can never know precisely how many printings were made of the full text of the Constitution before it was ratified. The multiplication of copies by print made knowledge more than ever uncontrollable, unaccountable, incalculable. The dissemination

of print dramatized the mysterious powers of knowledge and its uncanny capacity to increase by diffusion. In a free American society the printing press made it possible for citizens to have access to the most significant public facts in privacy and at their convenience. Unlike a unique engrossed document, to which access could be controlled, printed copies spread with the wind. No one could know for sure who had read what, or when, or what any reader had found in it for himself. The multiplying copies of the *printed* proposed Constitution were symbols of an opening society in which eventually all would have a right to know and judge the public business.

The appearance in our dictionaries of the word *samizdat* in the mid-twentieth century to describe “dangerous” printed matter clandestinely circulated is an ominous reminder that some of the world’s most powerful governments have retreated from the modern age of free public print to the dark age when public documents were “engrossed” for only a privileged few. Thomas Carlyle’s familiar observation that the art of printing “was disbanding hired armies, and cashiering most kings and senates, and creating a whole new democratic order,” is no longer a platitude. The story of the adoption of our Constitution can now more than ever remind us that our frame of government was born in the freedom to print and to read. That freedom has never been universal. In the year of the bicentennial of our Constitution the world more than ever needs the historic example of the vitality of a government founded in the judgment of citizens—free to print and to read.


The printed publicity of the debate over the Constitution carried still another historic message. As Dunlap and Claypoole and McLean printed and corrected their successive versions of the text, they were reminded that its words were the work of fallible men. The odor of sanctity, the aura of divinity, the historic inevitability that despots have always claimed for their self-serving laws, were being dissolved. Men were here reminded of their responsibility for their laws, their powers to make and shape

their own constitution. What men had made, they could improve. The explicit provision for amendment, a characteristically American feature, proved essential to the longevity of our Constitution. Printing the Constitution reminded men that their laws were not the creation of a uniquely sacred “engrossing” legal hand, but the product of public information and agreement to what everybody could know.

Public print, especially newspaper-print, was the clearest testimony that the institutions of government were only human, always improvable, and so always perfectible. In this bicentennial year, sharing this hope, we hear Benjamin Franklin’s wise advice at the close of the Constitutional Convention: “Thus I consent, Sir, to this Constitution, because I expect no better, and because I am not sure it is not the best. The opinions I have had of its errors I sacrifice to the public good. . . . I hope, therefore, for our own sakes, as a part of the people, and for the sake of our posterity, that we shall act heartily and unanimously in recommending this Constitution, wherever our influence may extend, and turn our future thoughts and endeavors to the means of having it well administered.”

DANIEL J. BOORSTIN
The Librarian of Congress

PREAMBLE



WE THE PEOPLE OF
THE UNITED STATES,
IN ORDER TO FORM A

MORE PERFECT UNION, ESTABLISH
JUSTICE, INSURE DOMESTIC TRAN-
QUILITY, PROVIDE FOR THE COM-
MON DEFENCE, PROMOTE THE
GENERAL WELFARE, AND SECURE
THE BLESSINGS OF LIBERTY TO
OURSELVES AND OUR POSTERITY,
DO ORDAIN AND ESTABLISH THIS
CONSTITUTION FOR
THE UNITED STATES OF AMERICA.

ARTICLE I.

SECTION 1.

¶ All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2.

¶ The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

¶ No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

¶ Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three-fifths of all other Persons.* The actual Enumeration shall

* Changed by Section 2 of the Fourteenth Amendment.

be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such Enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

¶ When Vacancies happen in the Representation from any State, the executive Authority thereof shall issue Writs of Election to fill such Vacancies.

¶ The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3.

¶ The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof,* for six Years; and each Senator shall have one Vote.

¶ Immediately after they shall be assembled in Consequence of the first Election, they shall be

* Changed by Section 1 of the Seventeenth Amendment.

divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.*

¶ No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

¶ The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

¶ The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

¶ The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the Presi-

* Changed by Section 2 of the Seventeenth Amendment.

dent of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Members present.

¶ Judgment in Cases of Impeachment shall not extend further than to Removal from Office, and Disqualification to hold and enjoy any Office of Honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4.

¶ The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

¶ The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December,* unless they shall by Law appoint a different Day.

SECTION 5.

¶ Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn

* Changed by Section 2 of the Twentieth Amendment.

from Day to Day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

¶ Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two-thirds, expel a Member.

¶ Each House shall keep a Journal of its Proceedings, and from Time to Time publish the Same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any Questions shall, at the Desire of one-fifth of those Present, be entered on the Journal.

¶ Neither House, during the Session of Congress, shall, without the Consent of the Other, adjourn for more than three Days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6.

¶ The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the Same; and for any Speech or

Debate in either House, they shall not be questioned in any other Place.

¶ No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such Time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7.

¶ All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

¶ Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a Law.

But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

¶ Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a Question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8.

¶ The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

- ¶ To borrow Money on the Credit of the United States;
- ¶ To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
- ¶ To establish an uniform Rule of Naturalization, and uniform Laws on the Subject of Bankruptcies throughout the United States;
- ¶ To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;
- ¶ To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;
- ¶ To establish Post Offices and post Roads;
- ¶ To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;
- ¶ To constitute Tribunals inferior to the supreme Court;
- ¶ To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;
- ¶ To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
- ¶ To raise and support Armies, but no Appropria-

tion of Money to that Use shall be for a longer Term than two Years;

¶ To provide and maintain a Navy;

¶ To make Rules for the Government and Regulation of the land and naval Forces;

¶ To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

¶ To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the Discipline prescribed by Congress;

¶ To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings;—And

¶ To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Con-

stitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9.

¶ The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or Duty may be imposed on such Importation, not exceeding ten Dollars for each Person.

¶ The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

¶ No Bill of Attainder or ex post facto Law shall be passed.

¶ No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

¶ No Tax or Duty shall be laid on Articles exported from any State.

¶ No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

¶ No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by

Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from Time to Time.

¶ No Title of Nobility shall be granted by the United States; and no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any Present, Emolument, Office, or Title, of any Kind whatever, from any King, Prince, or foreign State.

SECTION 10.

¶ No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

¶ No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

¶ No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships

of War in Time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of Delay.

ARTICLE II.

SECTION 1.

¶ The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

¶ Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

¶ The Electors shall meet in their respective States and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government

of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a Quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.*

¶ The Congress may determine the Time of chusing

* Superseded by the Twelfth Amendment.

the Electors, and the Day on which they shall give their Votes; which Day shall be the Same throughout the United States.

¶ No Person except a natural born Citizen, or a Citizen of the United States, at the Time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

¶ In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.*

¶ The President shall, at stated Times, receive for his Services a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

¶ Before he enter on the Execution of his Office,

* Modified by the Twenty-Fifth Amendment.

he shall take the following Oath or Affirmation:—
“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

SECTION 2.

¶ The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subjects relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

¶ He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they

think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

¶ The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3.

¶ He shall from Time to Time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4.

¶ The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1.

¶ The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from Time to Time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION 2.

¶ The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all Cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States, between a State and Citizens of another State, between Citizens of different States, between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

¶ In all Cases affecting Ambassadors, other public

Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

¶ The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3.

¶ Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

¶ The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

SECTION 1.

¶ Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2.

¶ The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

¶ A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall, on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

¶ No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.*

SECTION 3.

¶ New States may be Admitted by the Congress

* Superseded by the Thirteenth Amendment.

into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

¶ The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and Nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4.

¶ The United States shall guarantee to every State in this Union a republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

¶ The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall

be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; provided that no Amendment which may be made prior to the Year one thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

¶ All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

¶ This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

¶ The Senators and Representatives before men-

tioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.

¶ The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the unanimous Consent of the States present the seventeenth Day of September in the Year of our Lord one thousand seven hundred and eighty-seven and of the Independence of the United States of America the twelfth. In Witness whereof we have hereunto subscribed our Names.

George Washington, President
and Deputy from Virginia.

New Hampshire: John Langdon, Nicholas Gilman.

Massachusetts: Nathaniel Gorham, Rufus King.

Connecticut: William Samuel Johnson, Roger Sherman.

New York: Alexander Hamilton.

New Jersey: William Livingston, David Brearley, William Paterson,
Jonathan Dayton.

Pennsylvania: Benjamin Franklin, Thomas Mifflin, Robert Morris,
George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson,
Gouverneur Morris.

Delaware: George Read, Gunning Bedford, Junior, John Dickinson,
Richard Bassett, Jacob Broom.

Maryland: James McHenry, Daniel of St. Tho. Jenifer, Daniel Carroll.

Virginia: John Blair, James Madison, Junior.

North Carolina: William Blount, Richard Dobbs Spaight, Hugh
Williamson.

South Carolina: John Rutledge, Charles Cotesworth Pinckney, Charles
Pinckney, Pierce Butler.

Georgia: William Few, Abraham Baldwin.

Attest, William Jackson, Secretary.

In Convention, Monday, September 17th, 1787. Present the States of New Hampshire, Massachusetts, Connecticut, Mr. Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina & Georgia.
RESOLVED:

That the preceeding Constitution be laid before the United States in Congress assembled, and that it is the Opinion of this Convention, that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the People thereof, under the Recommendation of its Legislature, for their Assent and Ratification; and that each Convention assenting to, and ratifying the Same, should give Notice thereof to the United States in Congress assembled.

Resolved, that it is the Opinion of this Convention, that as soon as the Conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a Day on which Electors should be appointed by the States which shall have ratified the Same, and a Day on which the Electors should assemble to vote for the President, and the Time and Place for commencing Proceedings under this Constitution.

That after such Publication the Electors should be appointed, and the Senators and Representatives elected; that the Electors should meet on the Day fixed for the Election of the President, and should transmit their Votes certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled; that the Senators and Representatives should convene at the Time and Place assigned; that the Senators should appoint a President of the Senate, for the sole Purpose of receiving, opening and counting the Votes for President; and, that after he shall be chosen, the Congress, together with the President, should, without Delay, proceed to execute this Constitution.

By the unanimous Order of the Convention,

William Jackson, Secretary.

George Washington, President.

IN CONVENTION, September 17, 1787.

SIR,

WE have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most adviseable.

The friends of our country have long seen and desired, that the power of making war, peace and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the general government of the Union: but the impropriety of delegating such extensive trust to one body of men is evident—Hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all—Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion this difficulty was encreased by a difference among the several States as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject we kept steadily in our view, that which appears to us the greatest interest of

every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the Convention to be less rigid on points of inferior magnitude, than might have been otherwise expected; and thus the Constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every State is not perhaps to be expected; but each will doubtless consider, that had her interests been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect,
We have the honor to be,
Sir,
Your Excellency's most
Obedient and humble Servants,
George Washington, President.

By unanimous Order of the Convention.

HIS EXCELLENCY
The President of Congress.

AMENDMENTS

★
ARTICLES IN ADDITION TO,
& AMENDMENT OF, THE
★
CONSTITUTION OF
★
THE UNITED STATES OF AMERICA,
PROPOSED BY CONGRESS, AND
RATIFIED BY THE SEVERAL STATES,
PURSUANT TO THE FIFTH ARTICLE
OF THE ORIGINAL CONSTITUTION.

AMENDMENT I.*

¶ Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right to the people peaceably to assemble, and to petition the government for a redress of grievances.

*The first ten Amendments (Bill of Rights) were ratified effective December 15, 1791.

AMENDMENT II.

¶ A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

AMENDMENT III.

¶ No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT IV.

¶ The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT V.

¶ No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases

arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

AMENDMENT VI.

¶ In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

AMENDMENT VII.

¶ In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried

by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

AMENDMENT VIII.

¶ Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT IX.

¶ The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

AMENDMENT X.

¶ The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT XI.*

¶ The judicial power of the United States shall not be construed to extend to any suit in law or

* The Eleventh Amendment was ratified February 7, 1795.

equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

AMENDMENT XII.*

¶ The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots, the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding

* The Twelfth Amendment was ratified June 15, 1804.

three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.*

¶ The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

* Superseded by Section 3 of the Twentieth Amendment.

AMENDMENT XIII.*

SECTION 1.

¶ Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2.

¶ Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV.†

SECTION 1.

¶ All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

* The Thirteenth Amendment was ratified December 6, 1865.

† The Fourteenth Amendment was ratified July 9, 1868.

SECTION 2.

¶ Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3.

¶ No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged

in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4.

¶ The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5.

¶ The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

AMENDMENT XV.*

SECTION 1.

¶ The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

* The Fifteenth Amendment was ratified February 3, 1870.

SECTION 2.

¶ The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XVI.*

¶ The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVII.†

¶ The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

¶ When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the

* The Sixteenth Amendment was ratified February 3, 1913.

† The Seventeenth Amendment was ratified April 8, 1913.

vacancies by election as the legislature may direct.
¶ This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XVIII.*

SECTION 1.

¶ After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECTION 2.

¶ The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3.

¶ This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

* The Eighteenth Amendment was ratified January 16, 1919. It was repealed by the Twenty-First Amendment.

AMENDMENT XIX.*

¶ The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

¶ Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XX.†

SECTION 1.

¶ The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3^d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SECTION 2.

¶ The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3^d day of January, unless they shall by law appoint a different day.

SECTION 3.

¶ If, at the time fixed for the beginning of the term of the President, the President-elect shall have

* The Nineteenth Amendment was ratified August 18, 1920.

† The Twentieth Amendment was ratified January 23, 1933.

died, the Vice President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice President-elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

SECTION 4.

¶ The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

SECTION 5.

¶ Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SECTION 6.

¶ This article shall be inoperative unless it shall have been ratified as an amendment to the Con-

stitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

AMENDMENT XXI.*

SECTION 1.

¶ The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SECTION 2.

¶ The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

SECTION 3.

¶ This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XXII.†

SECTION 1.

¶ No person shall be elected to the office of the

* The Twenty-First Amendment was ratified December 5, 1933.

† The Twenty-Second Amendment was ratified Feb. 27, 1951.

President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once.

¶ But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

SECTION 2.

¶ This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

AMENDMENT XXIII.*

SECTION 1.

¶ The District constituting the seat of government of the United States shall appoint in such manner as the Congress may direct:

¶ A number of electors of President and Vice Presi-

* The Twenty-Third Amendment was ratified March 29, 1961.

dent equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SECTION 2.

¶ The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXIV.*

SECTION 1.

¶ The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

SECTION 2.

¶ The Congress shall have the power to enforce this article by appropriate legislation.

*The Twenty-Fourth Amendment was ratified Jan. 23, 1964.

AMENDMENT XXV.*

SECTION 1.

¶ In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SECTION 2.

¶ Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

SECTION 3.

¶ Whenever the President transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

SECTION 4.

¶ Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the

* The Twenty-Fifth Amendment was ratified February 10, 1967.

House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

¶ Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise,

the President shall resume the powers and duties of his office.

AMENDMENT XXVI.*

SECTION 1.

¶ The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied, or abridged by the United States or by any State on account of age.

SECTION 2.

¶ The Congress shall have power to enforce this article by appropriate legislation.

* The Twenty-Sixth Amendment was ratified July 1, 1971.

COLOPHON

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